Jon T. Hohenthaner (JH 4073)

KIRKLAND & ELLIS LLP Citigroup Center 153 East 53rd Street New York, New York 10022-4611

(212) 446-4800 Telephone: (212) 446-4900 Facsimile:

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

MOTOROLA, INC.

50\$ \$59hED

Plaintiff,

- against -

DIGITAL TECHNOLOGY LICENSING LLC

Defendant.

Case No.:

10.5 C. STULEY COURT 2007 HOW 29 PH 3: 31 S.D. OF N.Y. B 07 CV 10436 (CLB)

**ECF** Case

NOTICE OF MOTION TO ADMIT COUNSEL PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I (Jon T. Hohenthaner), a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

Applicant's Name:

Michael I. Cohen Kirkland & Ellis LLP

Firm name: Address:

200 E. Randolph Dr.

City / State / Zip:

Chicago, IL 60601

Phone Number: Fax Number:

312-469-7011 312-861-2200

Michael I. Cohen is a member in good standing of the Bar of the States(s) of

Illinois. There are no pending disciplinary proceedings against Michael I. Cohen in any State or Federal court.

Dated: November 28, 2007

New York, New York

Jon 1. Hohenthaner (JH 1000)

KIRKLAND & ELLIS LLP

Citigroup Center
153 East 53rd Street
New York, New York 10022-4611
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

Attorneys for Plaintiff

| UNITED: | STATES  | <b>DISTRIC</b> | T COU | JRT  |
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| MOTOROLA, INC. |            |      |
|                | Plaintiff, |      |
| - against -    |            |      |

DIGITAL TECHNOLOGY LICENSING LLC

Defendant.

| Case No.: 07 C | CV 10436 |
|----------------|----------|
|----------------|----------|

**ECF Case** 

AFFIDAVIT OF JON T.
HOHENTHANER IN SUPPORT OF
MOTION TO ADMIT COUNSEL PRO
HAC VICE

| STATE OF NEW YORK  | ) |     |
|--------------------|---|-----|
|                    | ) | SS. |
| COUNTY OF NEW YORK | ) |     |

Jon T. Hohenthaner, being duly sworn, hereby deposes and says as follows:

- 1. I am Jon T. Hohenthaner, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Michael I. Cohen as counsel *pro hac vice* to represent Plaintiff in this matter.
- 2. I am a member in good standing of the bar of the New York, and was admitted to practice law in January 27, 1999. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
- 3. Applicant is an attorney at Kirkland & Ellis LLP, 200 E. Randolph Dr., Chicago, IL 60601.
- 4. I have found Michael I. Cohen to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
- 5. Accordingly, I am pleased to move the admission of Michael I. Cohen, pro hac vice.
- 6. I respectfully submit a proposed order gaining the admission of Michael I. Cohen, *prohac vice*, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Michael I. Cohen, *pro hac vice*, to represent Plaintiff in the above captioned matter, be granted.

Dated: November 28, 2007 New York, New York

Respectfully submitted,

T. Hohenthaner

Sworn to before me

the 28 day of November, 2007/

JOSEPH J. CALI Notary Public, State of New York No. 01CA5015323 Qualified in New York County Commission Expires July 19, 20<u>69</u>

## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

## Michael Ira Cohen

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 10, 2005 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto placed my hand and affixed the seal of said Supreme Court, at Springfield, in said State, this Monday, November 26, 2007.

Juleann Hornyak

## **CERTIFICATE OF SERVICE**

I, Joseph J. Cali, the undersigned, certify under penalty of perjury, that on November 28, 2007, I caused a true and correct copy of the attached Notice of Motion for the *Pro Hac Vice* admission of Michael I. Cohen, with supporting Affidavit of Jon T. Hohenthaner, with attachments thereto, and proposed order, to be served by overnight mail upon:

Stephen F. Roth Lerner, David, Littenberg, Krumholz & Mentlik, LLP 600 South Avenue West Westfield, NJ 07090-1497

Dated: November 28, 2007

Joseph J/Cali